

REMARKS

In an Office Action dated December 1, 2005, the Examiner rejected claims 1-4, 7-10, 12, 14, 16, 17, and 19 under 35 U.S.C. §102(b) as being anticipated by Iseyama (U.S. patent no. 5,787,346). The Examiner rejected claims 6, 13, and 20 under 35 U.S.C. §103(a) as being unpatentable over Iseyama in view of Declerck et al. (U.S. patent no. 6,760,594) and rejected claims 5, 11, 15, and 18 under 35 U.S.C. §103(a) as being unpatentable over Murasawa in view of Mangal et al. (U.S. patent no. 6,865,398). The rejections are traversed and reconsideration is hereby respectfully requested.

The Examiner rejected claims 1-4, 7-10, 12, 14, 16, 17, and 19 under 35 U.S.C. §102(b) as being anticipated by Iseyama. Specifically, with respect to claim 1, the Examiner contended that Iseyama teaches a method of connecting a priority call in a wireless communication system comprising the steps of receiving a call-setup request from a mobile unit (FIGs. 31 and 32; col. 2, lines 29-37), determining RF conditions from the call setup request (FIGs. 31 and 32; col. 2, lines 29-37), determining whether to utilize either a Base Station Controller (BSC) or a base station for channel assignment based on the RF conditions (FIGs. 31 and 32; col. 2, lines 38-62) and assigning a channel to the mobile unit (FIGs. 31, 32, and 33; col. 2, line 62, to col. 8, line 45). The applicants respectfully disagree and believe that the Examiner has misapplied Iseyama to the pending application.

Iseyama, and in particular the sections cited by the Examiner, merely describes the known prior art behavior of channel assignment, with its inherent channel assignment delays, that claim 1 is improving upon. That is, Iseyama merely teaches a centralized channel assignment mechanism, that is, the base station controller. In the section of Iseyama cited by the Examiner, a Base Station 2 receives a "Condition Report 2" that includes RF conditions, which it forwards as a Radio-Channel Changeover Request to the base station control unit 6 which assigns the channel for handover. (See col. 2, line 38, through col. 3, line 45.) For example, "a radio-channel changeover request signal (10) requests the radio base station control unit 6 for handover" (col. 2, lines 58-59) and "the radio base station control unit 6 selects a radio channel based upon the radio-channel changeover request signal (10)" (col. 2, lines 64-66). By way of another example, the

base station control unit 18 may instruct a base station 13 to activate a radio channel corresponding to a frequency and time slot currently being used at by a mobile unit at another base station (see col. 7, line 59, to col. 8, line 2). In both instances, the base station control unit is exercising centralized control of channel assignment. Nowhere does Iseyama teach the hierarchically-distributed channel assignment mechanism of claim 1, that is, a mechanism whereby channel assignment may occur in a base station under one condition and in a BSC upstream from the base station under another condition, because in Iseyama the BSC always performs the channel assignment.

Therefore, nowhere does Iseyama teach the features of claim 1 of determining whether to utilize either a BSC or a base station for channel assignment based on RF conditions and assigning a channel to the mobile unit by either the BSC or the base station based on the determination. Accordingly, the applicants respectfully request that claim 1 may now be passed to allowance.

Since claims 2-8 depend upon allowable claim 1, the applicants respectfully request that claims 2-8 may now be passed to allowance.

Claims 9 and 16 provides a method and apparatus for call setup that include determining whether to utilize either a BSC or a base station for channel assignment based on RF conditions and a type of call to be set up and assigning a channel to the mobile unit via either the BSC or the base station based on the determination. As noted above, such features are not taught by Iseyama. Accordingly, the applicants respectfully request that claims 9 and 16 may now be passed to allowance.

Since claims 10-15 depend upon allowable claim 9 and claims 17-20 depend upon allowable claim 16, the applicants respectfully request that claims 10-15 and 17-20 may now be passed to allowance.

As the applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the applicants

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respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Respectfully submitted,
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